

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:08cv483**

<b>JONATHAN HAMRICK,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>JOEL A. WILLIAMS, in his individual</b>	)	
<b>capacity as an officer with the North</b>	)	
<b>Carolina Highway Patrol; and NORTH</b>	)	
<b>CAROLINA HIGHWAY PATROL,</b>	)	
	)	
<b>Defendants.</b>	)	
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**THIS MATTER** is before the court on plaintiff's "Notice of Voluntary Dismissal." (#12). Review of such pleadings reveals that it is not in compliance with Rule 41(a), Federal Rules of Civil Procedure, inasmuch as an Answer has been filed and such dismissal does contain the signature of opposing counsel. Such pleadings will, therefore, be stricken.

**ORDER**

**IT IS, THEREFORE, ORDERED** that plaintiff's "Notice of Voluntary Dismissal" (#12) is **STRICKEN**.

Signed: June 8, 2009

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

